



Consultation, IA <consultation@bia.gov>

1076-AF18, proposed changes in the process for Federal Acknowledgment of tribes

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To: consultation@bia.gov

Cc: achoctaw@yahoo.com

Dear Ms. Elizabeth Apple,

I'm writing to express my support for the proposed changes to the process for securing Federal acknowledgement of tribes. I am concerned that the current process has institutionalized a bias against Indigenous bands, pueblos, communities, tribes and nations that do not conform to folk and stereotyped understandings of what it means to be Indian. I was pleased to see that among the proposed changes was the elimination of the requirement that an external entity identify the petitioner as a tribe since 1900.

Additionally, the current process for seeking Federal acknowledgement of tribal status does not sufficiently and fully account for the impact that historical cases of unjust and racist policies, assumptions and initiatives have had on federally unrecognized tribes. Because tribal sovereignty is "guaranteed by the United States" according to Chief Justice John Marshall's decision in *Worcester v. Georgia*, the barriers tribes face in meeting the evidentiary standards of the process for Federal acknowledgement should not weigh against them in the process but instead such barriers should be removed by the process for Federal acknowledgement by not only removing the requirement for external identification but also granting the necessary resources to tribal applicants so that they may complete the required research. The proposed changes will not create a perfect system in my opinion but they are an important step in the right direction.

I wish also to express my support for the proposal to clarify that the term "historical" refers to the year 1900 or earlier rather than 1789. It is inappropriate to super-impose the history of the United States onto tribal history, as if tribal history stopped when the United States formally began. For a number of reasons, including reasons common to all peoples as well as the aggressive policies of the United States towards Native Americans in particular, tribal affiliations and identities continued to change over time. Such changes should not be used against a tribe but, instead, may be taken as testament of a living and distinct Indigenous culture and identity. Clarifying that "historical" means approximately the year 1900 or earlier is an improvement because it does not further penalize American Indian tribes for the very disruptive historical circumstances associated with the Indian experience of U.S. expansion into their territory.

Lastly, I want to express my deep support for Federal recognition of the Choctaw-Apache Community of Ebarb.

Sincerely,

Connor Donegan

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